

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

JOSEPH BANKS
aka "Jose Banks"

No. 08 CR 688

Judge Rebecca R. Pallmeyer

**APPLICATION FOR ORDER TO DISCLOSE
TAX RETURNS AND RETURN INFORMATION**

The UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, makes application to this Court, pursuant to 26 U.S.C. § 6103(i)(1), for an order directing the Internal Revenue Service to disclose to Applicant tax returns and return information of:

JOSEPH BANKS (a/k/a "Jose Banks")
1601 N. Orchard, Chicago, IL 60614 or
4207 S. Indiana, Chicago, Illinois 60653
SSN: XXX-XX-XXX

GEOSUFF GEERE
1601 N. Orchard, Chicago, IL 60614 or
4207 S. Indiana, Chicago, Illinois 60653
EIN: XX-XXXXXXX

HOROWITZ LTD
1601 N. Orchard, Chicago, IL 60614 or
4207 S. Indiana, Chicago, Illinois 60653
EIN: XX-XXXXXXX

which tax returns and return information are described as follows:

(1) Certified copies of all individual and joint income tax returns (Forms 1040), corporate income tax returns (Forms 1120 or 1120S), and partnership income tax returns (Forms 1065), all schedules attached thereto, and transcripts of all return information, including IMFOLTs and BMFOLTs; for tax years 2004 through 2008; and

(2) For the tax years 2004 through 2008, copies of any audits, work papers, revenue agents' transmittal reports, special agents' reports, witness affidavits, statements, memoranda of interviews, etc., currently held by IRS and any related material which may be developed subsequent to this request, involving the above-named taxpayers.

In support of this application, applicant states as follows:

(1) There is reasonable cause to believe, based on information believed to be reliable, that violations of Title 18, United States Code, Section 2113(a) (bank robbery) have been committed. Defendant JOSEPH BANKS (a/k/a "Jose Banks") ("BANKS") was indicted in this case on December 18, 2008. The five-count indictment charged BANKS with robbing the Bank One located at 4711 N. Lincoln, Chicago, Illinois of \$108,635 on January 20, 2005 (Count One), robbing the LaSalle Bank located at 2545 W. Devon, Chicago, Illinois of \$75,699 on April 22, 2005 (Count Two), attempting to rob the First Commercial Bank located at 6945 North Clark Street, Chicago, Illinois on August 30, 2007 (Count Three), robbing the Citibank located at 3128 North Ashland Avenue, Chicago, Illinois of \$317,000 on December 28, 2007 (Count Four), and attempting to rob the Chase Bank located at 5134 North Clark Street on August 26, 2008 (Count Five).

On September 3, 2008, pursuant to a search warrant, agents conducted a search of a safe deposit box in the name of BANKS at Bridgeview Bank. Inside the safe deposit box, law enforcement found approximately \$42,000 in \$20 bills. The \$20 bills were in sequential order by serial number and appeared to be brand new bills. Based on a review of bank records, BANKS has accessed this safe deposit box numerous times during the period when he is suspected of committing multiple bank robberies and attempted bank robberies, and shortly before making several cash payments toward the purchase of several vehicles. Agents also obtained surveillance video that shows BANKS enter and exit the vault containing this safe deposit box.

Additional investigation in this case has revealed that BANKS is the owner of two businesses—Geosuff Geere and Horowitz Ltd. Geosuff Geere is allegedly a clothing design and manufacturing company that BANKS was operating out of an apartment located at 4207 S. Indiana Avenue, Chicago, Illinois, at the time of his arrest on September 3, 2008. The nature of BANKS's Horowitz Ltd. business is unknown.

(2) There is reasonable cause to believe the above-described tax returns and return information are or may be relevant to a matter related to the commission of the above-mentioned violations in that the tax returns and related documents will provide information and leads showing (a) whether or not the proceeds of the bank robberies under investigation were reported as income; (b) whether income from legitimate sources is being reported and how much legitimate income is being reported; (c) whether BANKS has acquired

income-producing assets purchased with proceeds of the bank robberies under investigation; and (d) the financial status of BANKS before, during and after the period of suspected bank robberies, including the financial activity of BANKS's businesses.

(3) The information sought to be disclosed cannot reasonably be obtained, under the circumstances, from any other source, and is sought exclusively for use in the federal criminal investigation and trial of the above-mentioned violations.

Applicant further states that, in addition to himself,

AUSA Renato Mariotti;

AUSA Sheri Mecklenburg; and

Dominick Ciccola, Task Force Officer, Federal Bureau of Investigation;

are personally and directly engaged in investigating the above-mentioned violations, and, if appropriate, in preparing the matter for trial. The information sought herein is solely for use for that purpose. No disclosure will be made to any other person except in accordance with the provisions of 26 U.S.C. § 6103 and 26 C.F.R. 301.6103(i)-1.

Wherefore, applicant requests that this Court enter an order on this application directing disclosure by the Internal Revenue Service of the tax returns and return information specified above.

Respectfully submitted,

By: /s/Patrick J. Fitzgerald
PATRICK J. FITZGERALD
United States Attorney

By: /s/ Renato Mariotti
Renato Mariotti
Assistant United States Attorney
219 S. Dearborn Street
Chicago, Illinois 60604
(312) 886-7855

Date: May 11, 2010